

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

|                                 |   |                          |
|---------------------------------|---|--------------------------|
| <b>BYRON HARTSHAW #373250,</b>  | ) |                          |
|                                 | ) |                          |
| <b>Plaintiff,</b>               | ) |                          |
|                                 | ) |                          |
| <b>v.</b>                       | ) | <b>No. 3:18-cv-00985</b> |
|                                 | ) | <b>Judge Trauger</b>     |
| <b>KNOXVILLE TENNESSEE CITY</b> | ) |                          |
| <b>COURTS, et al.,</b>          | ) |                          |
|                                 | ) |                          |
| <b>Defendants.</b>              | ) |                          |

**ORDER**

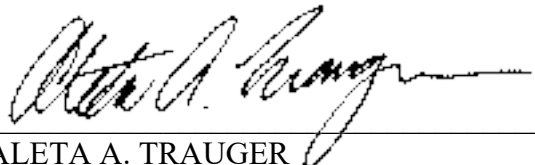
In October 2018, Byron Hartshaw filed a pro se civil rights complaint and an application to proceed without prepaying fees and costs (also known as an in forma pauperis application, or “IFP application”). (Doc. Nos. 1, 4.) In November 2018, the court granted Mr. Hartshaw’s IFP application and dismissed the complaint for failure to state a claim. (Doc. No. 8.) Pending before the court is Mr. Hartshaw’s letter, filed in July 2022, complaining about fees being removed from his inmate trust account that may be related to this case. (Doc. No. 10.) He requests to “close the case so [the court] can’t keep taking [his] money.” (*Id.*)

Mr. Hartshaw’s request is **DENIED**. This case is already closed, and even though the court dismissed his complaint, a prisoner like Mr. Hartshaw becomes responsible for the full filing fee at the moment he files a case. *See McGore v. Wrigglesworth*, 114 F.3d 601, 607 (6th Cir. 1997) (citations omitted) (“Section 1915(b)(1) compels the payment of the respective fees at the moment the complaint or notice of appeal is filed. Any subsequent dismissal of the case does not negate this financial responsibility.”). Indeed, by filing a complaint in federal court, a prisoner “waives any objection to the fee assessment by the district court” and “to the withdrawal of funds from the trust account by prison officials to pay the prisoner’s court fees and costs.” *Id.*

In short, the court properly assessed the \$350 filing fee against Mr. Hartshaw when it granted his IFP application (*see* Doc. No. 8 at 1–2), as required by statute. *See* 28 U.S.C. § 1915(b). The monthly withdrawal of funds from Mr. Hartshaw’s trust account to pay this fee will continue until the fee is paid in full.

The Clerk is **DIRECTED** to update Mr. Hartshaw’s address to the return address listed on the envelope containing his letter. (*See* Doc. No. 10 at 2.)

It is so **ORDERED**.



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ALETA A. TRAUGER  
United States District Judge